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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
 MARKETING SALES PRACTICES AND
 PRODUCT LIABILITY LITIGATION

Case Specific Number 06-1983
MDL NO. 1699
District Judge: Charles R. Breyer

John Beaber,
 Plaintiffs,

vs.

Pfizer, Inc., et al.
 Defendants,

**STIPULATION AND ORDER OF
 DISMISSAL WITH PREJUDICE**

Come now the Plaintiff, (JOHN BEABER) Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.


DATED: February 20, 2009

By: 

Attorneys for Plaintiff, John Beaber

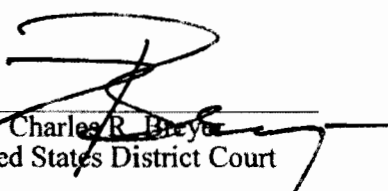
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2 DATED: April 27, 2009

DLA PIPER US LLP

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4 By: 
Michelle Sadowsky
Attorneys for Defendants

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8 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
IT IS SO ORDERED.**

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10 Dated: APR 30 2009


Hon. Charles R. Bryson
United States District Court